

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
WEDNESDAY, JULY 22, 2004
CONFERENCE ROOM, AUGUSTA
RATIFIED BY THE MAINE EMS BOARD ON SEPTEMBER 1, 2004**

MEETING MINUTES

Present: S. Leach (Chair), R. Doughty, O. Cassidy, P. Knowlton, S. Dupler, A. Azzara,
C. Pillsbury

Staff: D. Kinney, D. White

AAG: Dennis Smith

1. Call To Order: The meeting was called to order at 9:30 a.m.

Board member O. Cassidy was appointed to the Committee for this meeting in order to finish business from the June 2, 2004 meeting.

A. Additions/Deletions to the Agenda – Review for Investigation Case 04-22, Initial Report on Case 04-22.

2. Investigations

A. Executive Session

- i. Review Current Investigations**
- ii. Case 04-01 – 9:30 – 10:00 & Initial Report on Case 04-22**

The Committee entered executive session for the purpose of requesting and discussing investigations:

Motion: To enter executive session pursuant to 32 M.R.S.A. §92.3 for the purpose of discussing investigation case, 04-01 and reviewing Case # 04-22 (Doughty; Dupler – motion carries)

The Committee entered executive session at 9:35 a.m. and exited at 9:57 a.m.

Motion: In Re: Case 04-01, That Licensee violated Maine EMS Rules (dated (July 1, 2003), §1.17- Diverting drugs, supplies or property of patients, patient's families, or healthcare providers and §1.18 – Possessing, obtaining, furnishing or administering prescription drugs, equipment or supplies to any person, including one's self, except as directed by a person authorized by law to prescribe such items; that aggravating circumstances exist in that Licensee diverted a patient's medication; that mitigating circumstances exist in that Licensee

admitted the violation and disclosed his actions to his superiors and to the Committee; that, in consideration of the mitigating circumstances, the Committee issue a Letter of Guidance in lieu of disciplinary action to resolve this investigation; and that the Letter of Guidance will remain in Licensee's file for a period of 3 years. (Doughty; Dupler – motion carries 5 – 1 – 1, Pillsbury abstained as she was not involved in the informal conference held with Licensee on 6/2/04).

Motion: The Committee directs staff to initiate an investigation of Case # 04-22 (Doughty; Pillsbury - Motion Carries)

iii. Informal Conference – Case 04-06 – 10:45 a.m.

Motion: To enter executive session pursuant to 32 M.R.S.A. §90-A.3 for the purpose of conducting an informal conference with the Licensee subject of case 04-06 (Doughty; Pillsbury – motion carries).

The committee entered executive session at 10:46 a.m. and exited executive session at 12:10 p.m.

Following the informal conference the Committee directed staff to continue its investigation.

iv. Initial Review of Case 04-21 & Informal Conference Case 04-20

Motion: To enter executive session pursuant to 32 M.R.S.A. §92.3 for the purpose of discussing investigation case, 04-21 with AG investigator Seth Blodgett (Doughty; Dupler – motion carries)

The Committee entered executive session at 1:04 a.m. and exited at 1:38 a.m.

Motion: That the Committee was informed that Licensee of case # 04-21 was indicted for Terrorizing, Class C, in violation of 17-A M.R.S.A. §210(1)(A), 1252(4) on April 12, 2004, and 2 counts of Violation of Condition of Release, Class C, in violation of 15 M.R.S.A. §1092, Attempted Theft of Drugs, Class E in violation of 17-A M.R.S.A §152; 1109(1) and Violation of Condition of Release, Class E, in violation of 15 M.R.S.A. §1092 on May 19, 2004; that applicable Maine EMS Rules (dated July 1, 2003) violations in this case may include §§11.1.5, 13, 14, 22, 33 & 40; that due to the nature and severity of the alleged conduct underlying the aforementioned indictments, the committee requests Licensee to voluntarily surrender Licensee's Maine EMS license until such time as case 04-21 is resolved (Doughty; Knowlton – motion carries).

Motion: To enter executive session pursuant to 32 M.R.S.A. §90-A.3 for the purpose of conducting an informal conference with the Licensee subject of case 04-20 (Pillsbury; Azzara – motion carries).

The Committee entered executive session at 2:12 p.m. and exited at 2:58 p.m.

Inre: case # 04-20, the Committee directed staff to obtain additional information concerning Licensee's 2002 theft conviction.

v. Case 03-22

Motion: To enter executive session pursuant to 32 M.R.S.A. §92.3 for the purpose of discussing investigation case, 03-22 (Doughty; Dupler – motion carries) (Note: Board member Azzara was not present for this executive session).

The Committee entered executive session at 1:43 p.m. and exited at 1:56 p.m.

That inre: case #03-22, the Committee finds no factual basis to the complaint or violation of the Maine EMS Rules and directs that this investigation be dismissed (Pillsbury; Cassidy – motion carries, with Azzara not voting).

vi. Case 04-17

Motion: To enter executive session pursuant to 32 M.R.S.A. §92.3 for the purpose of discussing investigation case, 04-17 (Dupler; Pillsbury – motion carries)

The Committee entered executive session at 3:03 p.m. and exited at 3:28 p.m.

Motion: That Inre: case #04-17, the Committee finds that the complaints against the Licensee involve clinical practice issues; that staff forward case information to the region 4 medical director for review and action; and that the regional medical director be requested to report the case's disposition to the Committee (Pillsbury; Doughty – motion carries, Knowlton recuses himself as Licensee had discussed the case with him).

3. Applications

i. Greylen Hale

The Committee conducted an informal review with Licensee Greylen Hale to discuss Mr. Hale's history of criminal convictions.

Motion: That the Committee has reviewed Greylen Hale's (Applicant's) convictions for Burglary, Class C in 1992, Theft by Receiving Stolen Property, Class E in 1993, Operating Under the Influence, Class D in 1994, Harassment by Telephone, Class E in 1997, Operating Under the Influence, Class D in 1997 and Theft by Unauthorized Taking or Transfer; that Applicant demonstrated through his presentation, letters of recommendation and presence/endorsement of his fire chief that he has sufficiently rehabilitated himself to warrant the public trust; and that Licensee be granted a Maine EMS license (Pillsbury; Knowlton – motion carries).

4. Other – None

5. Next Meeting

The next meeting is scheduled for Wednesday, September 1, 2004 at Maine EMS.

6. Adjourn – The meeting was adjourned at 3:33 p.m.

Respectfully submitted,

Drexell White
Licensing Agent